IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3195 of 2007(E)

PETITIONER:

C.B.THILAKAN, SENIOR SUPERINTENDENT
(RETD) ELECTRICAL DIVISION, ALAPPUZHA,
NOW RESIDING AT SREE SADAN, THONDANKULANGARA,
AVALUKKUNNU, ALAPPUZHA-6.

BY ADV. SRI.S.EASWARAN

RESPONDENTS:
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1. THE KERALA STATE ELECTRICITY BOARD,
PATTOM, THIRUVANANTHAPURAM, REPRESENTED BY
ITS SECRETARY.

2. THE CHIEF ENGINEER (HRM), K.S.E.B.,
PATTOM PALACE P.O., THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION OFFICE, K.S.E.B.,
ALAPPUZHA-688 007.

BY SC SHRI. K.S. ANIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 3195 OF 2007 E
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Dated this the 31st January, 2007

J U D G M E N T

The petitioner has retired from service. D.C.R.G. as determined by the respondent-Board has been paid to him pursuant to directions issued by this Court in Ext. P2 judgment. Thereafter, Ext. P5 notice has been issued by the 3rd respondent directing the petitioner to remit the amount of liability fixed by the Board within 7 days. He is informed that if the amount is not remitted appropriate action to deduct the said amount will be taken. The petitioner submits that Ext. P5 notice is not in conformity with the findings made by this Court in the judgment or the freedom given to the respondents.

2. In my view, it will be too early for this Court to consider the merits of the contentions of the petitioner since what is challenged is only a notice issued by the 3rd respondent. The petitioner, if so advised, can send a reply to Ext. P5 taking up the contentions available to him. If final decision is taken to the prejudice of the petitioner, at that stage

only he need invoke the jurisdiction of this Court. Therefore, without prejudice to the right of the petitioner to file reply to Ext. P5, this writ petition is disposed of.

K.K. DENESAN
JUDGE

jan/